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Congress of the United States
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March 20, 2020

The Honorable Andrew M. Cuomo
Governor
State of New York
Capitol Building
Albany, NY 12224

Governor Cuomo,

In the midst of the coronavirus crisis in New York State, I write to respectfully urge you to request assistance from the Department of Health and Human Services (HHS) in allowing Department of Veterans Affairs (VA) medical facilities to provide service to non-veteran patients, and to provide surplus resources to our non-VA New York hospitals.

The VA must adhere to several missions in serving the American public, and while its number one mission must always be caring for our veterans, it is time for VA to serve another key function—to provide hospital care and emergency services to non-veteran civilians during emergencies. I've heard from your office just this week that there were over 5,200 confirmed cases of coronavirus, with at least 29 deaths in New York State caused by the virus. By the time you receive this request, those numbers may well have grown. It is clear that this pandemic is beyond an emergency, and VA can serve as a crucial resource for those who need it. HHS, as the central organizing agency in this emergency response, has not yet directed VA to execute this mission. In a letter from VA Secretary Wilkie to your office dated March 17, 2020, the Secretary detailed how VA assistance can be requested through the HHS framework. It is imperative that you work with both HHS and VA to set this in motion.

VA serves a role in not only the National Response Framework (NRF), but also the National Disaster Medical System (NDMS) by supplementing health and medical systems at the request of state, local, tribal, or territorial authorities. Serving the broader community is well within the scope of their mission, and these services must be requested. There is currently widespread community transmission in New York, and soon, our senior citizens and chronically ill New Yorkers will have no place to turn once our health systems are overwhelmed. In fact, I have heard from VA's Central Office that Veterans Integrated Service Networks (VISNs) across the country are already preparing to turn wings of VA Medical Centers into intensive care units, and convert current infrastructure into negative pressure rooms and facilities, should VA's fourth mission be executed. As our civilian hospitals fill with patients, we must consider these facilities as options for our state.

Veterans must absolutely remain the first priority of VA Medical Centers in providing care, pure and simple. As a U.S. Army combat veteran and as a Member of the House Committee on Veterans Affairs, I am firmly committed to upholding that charge. I also applaud your efforts in forming a Hospital Surge Capacity Council with the Greater New York Hospital Association to create additional hospital beds for those who need it. However, VA was built to operate in these emergency conditions, and should be utilized.

In serving our veterans, we must take a public health approach. I urge you to make this request of HHA, because for the 30% of veterans who receive care for VA, and the 70% who do not, reducing risk and enhancing treatment for the entire community is the only way to stem this pandemic once and for all.

Thank you for your consideration, and I look forward to being in touch with you and your office on this urgent issue for our state, and for our country.

Sincerely,

A handwritten signature in black ink, appearing to read 'Max Rose', followed by a horizontal line.

Max Rose
Member of Congress